

EXHIBIT F



Via email Delivery
October 11, 2022

Heidi Siegmund
McGuire Woods LLP
800 East Canal Street
Richmond, VA 23219

Re: Walter Scott Lamb v. Liberty University, Inc.

Dear Counsel,

I am writing on behalf of Apple Inc. ("Apple") with regard to the subpoena in the above-referenced matter. This subpoena was received at Apple on September 29, 2022. After completing a review, Apple objects on the following grounds:

(1) The request is unduly burdensome to the extent that the records requested can be obtained directly from the account-holders

Under federal law, "A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena." FRCP 45(d)(1). To the extent that the parties may be the account-holders, the data requested may be available to the account-holders.

Account holders can request a copy of the data that Apple stores which is associated with their Apple ID. This information includes, but is not limited to:

- Apple ID account details and sign-in records.
- Data that you store with iCloud such as contacts, calendars, notes, bookmarks, reminders, email, photos, videos, and document.
- App usage information, as it relates to use of iCloud, Apple Music, Game Center and other services.
- A record of the items you have purchased or downloaded from the App Store, iTunes Store, and Apple Books, as well as your browsing history in those stores.
- Records of your Apple retail store and support transactions.
- Records of marketing communications, preferences, and other activity.

Any data that isn't provided is either in a form that is not personally identifiable or linked to your Apple ID, is stored in an end-to-end encrypted format that Apple cannot decrypt, or is not stored by Apple at all. Additionally, some data may have been held only for a very short time and is no longer on our servers.

Apple strives to collect and store the minimum amount of data required to provide the services you use.

Account holders may sign in to the portal at <https://privacy.apple.com> and select "Get a copy of your data." If you don't see this option, it means that this feature is not available in your country or region.

When you request a copy of your data (or a specific subset of your data), we first verify that you are the account holder making the request. After verification, we organize the data associated with your Apple ID in file formats that are easy to understand. When the data is ready, we post it to your Apple ID account page and notify you that it's available. You have 14 days to download your data, after which it is removed from that location, and you will need to request it again.

Additional data may be available to an account holder on the account holder's respective devices or through device backup files, if existent.

(2) Apple is barred by federal law from providing the contents of electronic communications in response to a subpoena or court order

The subpoena requests text messages and other user content which may include contents of electronic communications. [Title 18 U.S.C §§ 2701 et seq. of the Stored Communications Act \("SCA"\)](#) strictly prohibits a provider, such as Apple, from disclosing the contents of communications to third parties without subscriber consent or a search warrant. A subpoena or court order is not sufficient under the [SCA](#) to compel production of content from a provider. [Crispin v. Christian Audigier, Inc., 717 F. Supp. 2d 965 \(C.D. Cal. 2010\)](#); [O'Grady v. Super. Ct., 139 Cal. App. 4th 1423 \(2006\)](#).

(3) Apple is not in possession of the requested records

Apple does not store call logs or voicemail messages. This information may be available on the user's device or through the telecommunications carrier. Third party app data may be available on the user's device or from the app developer.

iCloud feature service logs, FaceTime call invitation logs and iMessage capability query logs are retained for up to 25 days.

Through correspondence by this letter, Apple does not intend to waive any other applicable objections, including personal jurisdiction.

Sincerely,



Sean Pinner

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